

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAMES JOHNSON,

Plaintiff,

v.

MILLIMAN, INC., d/b/a IntelliScript,

Defendant.

CASE NO. C22-1731-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter comes before the Court on Defendant's motion to dismiss (Dkt. No. 17). In it, Defendant asks the Court to dismiss this matter with prejudice, following a notice of settlement. (*See id.*) (citing Dkt. No. 16). According to Defendant, Plaintiff has not sought dismissal despite settling the matter and agreeing to do so. (Dkt. No. 17 at 1.) Defendant, therefore, unilaterally moves for dismissal with prejudice "in an effort to comply with this Court's directive [to file dismissal paperwork]." (*Id.* at 1–2.) But Rule 41 does not allow for dismissal without a plaintiff's participation. *See* Fed. R. Civ. P. 41.

For this reason, the Court ORDERS Plaintiff to show cause why this case should not be dismissed for failure to prosecute. Plaintiff has 14 days from today to respond. If he fails to do so, the Court will dismiss this case *without* prejudice.

1 DATED this 2nd day of February 2024.

2 Ravi Subramanian
3 Clerk of Court

4 s/Kathleen Albert
5 Deputy Clerk